



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Ashley J. Birkett) <u>PATENT</u>
)
Serial No.:	10/080,299) Attorney Docket
) ICC-127.0
Filed:	February 21, 2002) (4564/88273)
)
For:	INFLUENZA IMMUNOGEN)
	AND VACCINE) Group Art No.
) 1648
Examiner:	Donna C. Wortman)

ELECTION

MAIL STOP NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is in response to the Requirement for Restriction mailed on February 13, 2004, and for which a Petition for an Extension of Time and its required fee are enclosed. That Restriction divided the claims into three claim Groups. Group I contains claims 1-23 drawn to chimeric hepatitis B proteins that include influenza A M2 polypeptides. Claim Group II contains claims 24 and 25 that are directed to vaccines and methods. Claim Group III that contains claims 26-33 is drawn to nucleic acids, vectors and host cells. Claim Group I is hereby elected without traverse.

The requested election of claim group has been made. It is therefore believed that this application is in condition for examination on the merits.

An Information Disclosure Statement, art and Form PTO-1449 were filed previously.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition. This paper is being filed in duplicate.

The Examiner is requested to phone the undersigned should any questions arise that can be dealt with over the phone to expedite this prosecution.

Respectfully submitted,

By 
Edward P. Gamson, Reg. No. 29,381

Enclosures
Petition and Fee

WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Phone (312) 655-1500
Fax No. (312) 655-1501

CERTIFICATE OF MAILING

I hereby certify that this Election, in duplicate, along with the Petition and Fee are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on April 12, 2004.


Edward P. Gamson